

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

Green Revolution Cooling, Inc.

Defendant

Civil Action No. 6:24-cv-00166-ADA

Jury Trial Demanded

CASE READINESS STATUS REPORT

Plaintiff Midas Green Technologies, LLC and Defendant Green Revolution Cooling, Inc.
hereby provide the following status report:

SCHEDULE

A scheduling order has not yet been filed. According to FRCP 16 and the Courts standing order, the scheduling order is due to be filed August 12, 2024. A *Markman* date has not yet been proposed. A trial date has not yet been proposed.

FILING AND EXTENSIONS

Plaintiff's Complaint was filed on March 29, 2024. There has been one extension for a response to the Complaint.

RESPONSE TO THE COMPLAINT

Defendant responded to the complaint on June 13, 2024 (Dkt. 16) and filed its counterclaims. Plaintiff's response to the counterclaims is due to be filed July 5, 2024.

PENDING MOTIONS

None.

RELATED CASES IN THIS JUDICIAL DISTRICT

Pursuant to this Court's OGP 4.4, "cases shall be considered CRSR Related Cases when they meet both criteria: (1) the cases are filed within 30 days after the first case is filed, and (2) the cases share at least one common asserted patent."

1. *Midas Green Technologies, LLC vs. Rhodium Technologies, LLC, et al*, Case No. 6:22-cv-00050-ADA, is a related case because the pending case involves infringement of the same U.S. Patent 10,405,457.
2. Green Revolution Cooling asserts that *Green Revolution Cooling, Inc. vs. Riot Platforms*, Case No. 6:24-cv-00152-RP, filed on March 22, 2024, should be considered a related case because it allegedly involves nearly identical facts, witnesses, products, and proof, as will be explained in detail in Green Revolution

Cooling's forthcoming motion to consolidate. Midas Green Technologies asserts this is not a related case as there is no commonly asserted patent, and the parties, products, witnesses, and facts are different. Midas Green Technologies will oppose consolidation.

IPR, CBM, AND OTHER PGR FILINGS

None to date.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff has asserted one U.S. Patent and a total of 4 claims. The asserted patent is U.S. Patent No. 10,405,457 and the asserted claims are 1, 2, 3 and 6.

APPOINTMENT OF TECHNICAL ADVISOR

The Parties defer to the Court but believe that a technical advisor is not necessary.

MEET AND CONFER STATUS

Plaintiff and Defendants met and conferred. The Parties identified the following pre-Markman issues to raise at the CMC:

Plaintiff has no Markman issues to raise at the CMC. If desired by the Court, Defendant Green Revolution Cooling may discuss its forthcoming motion for consolidation with *Green Revolution Cooling, Inc. v. Riot Platforms, Inc.*, No. 6:24-cv-0152-RP, currently pending before Judge Pitman.

DATED: June 20, 2024

Respectfully submitted,

/s/ Joseph E. Thomas

Joseph E. Thomas (*admitted p.h.v*)

William J. Kolegraff (*admitted p.h.v*)

Grant J. Thomas (*admitted p.h.v*)

THOMAS WHITE LAW & KOLEGRAFF
LLP

18101 Von Karman Ave., Suite 230

Irvine, California 92612

Telephone: (949) 679-6400

Fax: (949) 679-6405

jthomas@twtlaw.com

bkolegraff@twtlaw.com

gthomas@twtlaw.com

Michael C. Smith

Texas Bar No. 18650410

michael.smith@solidcounsel.com

Scheef & Stone, LLP

113 E. Austin Street

Marshall, TX 75670

(903) 938-8900

Attorneys for Plaintiff Midas Green
Technologies LLC

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who have appeared electronically in this case are being served with this document on June 20, 2024June 20, 2024 by way of the primary email address that said counsel supplied to the Court's CM/ECF system.

/s/ Tierra Mendiola